

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

<b>UNITED STATES OF AMERICA</b>	)	Civil Action No. 3:18-CR-199 (GTS/DEP)
	)	
<b>Plaintiff</b>	)	
<b>v.</b>	)	
	)	
<b>\$9,896.00 in U.S. Currency</b>	)	
	)	
<b>Defendant.</b>	)	

**VERIFIED COMPLAINT OF FORFEITURE *IN REM***

Plaintiff, United States of America, by its attorneys, Grant C. Jaquith, United States Attorney for the Northern District of New York, and Tamara B. Thomson, Assistant United States Attorney, brings this complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure.

**NATURE OF ACTION**

1) This is an action to forfeit and condemn to the use and benefit of the United States of America \$9,896.00 in U.S. currency, which was involved in violation of 21 U.S.C. § 841 and 846 and 18 U.S.C. § 1956(h).

**THE DEFENDANT *IN REM***

2) The \$9,896.00 in U.S. currency consists of the following denominations: 13 x \$100s, 21 x \$50s, 372 x \$20s, 2 x \$10s, 10 x \$5s, and 36 x \$1s. (“defendant currency”) and was seized from the bedroom and makeshift recording studio of Akuan Johnson in Binghamton, New York.

3) The defendant currency is presently in the custody of the United States Marshal Service in Syracuse, New York.

**JURISDICTION AND VENUE**

4) Plaintiff brings this action *in rem* in its own right to forfeit and condemn the defendant currency. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345 and over an action for forfeiture under 28 U.S.C. § 1355(a).

5) This Court has *in rem* jurisdiction over the defendant currency under 28 U.S.C. § 1355(b). Upon the filing of this complaint, the plaintiff requests that the Court issue an arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b), which the plaintiff will execute upon the property pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

6) Venue is proper in this district pursuant to 28 U.S.C. §§ 1355 and 1395, because the acts or omissions giving rise to the forfeiture occurred in this district.

**BASIS FOR FORFEITURE**

7) The defendant currency is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6).

21 U.S.C. § 881(a)(6) provides for the forfeiture of:

all moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of 21 U.S.C. §§ 801 et seq., all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of 21 U.S.C. §§ 801, *et seq.*

*Id.*

8) The defendant currency is subject to forfeiture pursuant to 18 U.S.C. § 982(a)(1) pertaining to any property, real or personal, involved in an offense in violation of Title 18, United States Code, Section 1956.

### **FACTS**

9) The facts alleged in this complaint are based upon information and belief, the sources of which are reports from the Drug Enforcement Administration (“DEA”), and other written and oral information officially received by the Office of the United States Attorney for the Northern District of New York.

10) From October 2014 through September 2017, Akuan Johnson (“Johnson”), was involved in a conspiracy to distribute d-methamphetamine hydrochloride with co-conspirators, Alonzo Harris, Charles Green and others.

11) Johnson received multiple-pound shipments of d-methamphetamine hydrochloride from Harris. Johnson communicated directly with Harris to arrange purchases. The delivery of several of the shipments was facilitated by Green, insofar as Green arranged for receipt of the package in Binghamton, delivery of the d-methamphetamine hydrochloride to Johnson, collection of payment from Johnson, and then shipment of the payment to Harris.

12) For example, on July 31, 2017, Johnson received approximately five ounces of d-methamphetamine hydrochloride from a package that was sent from Harris and delivered via Green, who personally delivered the five ounces to Johnson. On August 2, 2017, Harris sent another package to Green; Green provided 1.5 pounds of d-methamphetamine hydrochloride from that package to Johnson. On August 21, 2017, Harris sent another d-methamphetamine hydrochloride package to Green, and instructed Green to provide Johnson one pound of d-methamphetamine hydrochloride. Law enforcement intercepted that package and confirmed that it included approximately 1.5 pounds of d-methamphetamine hydrochloride, a Schedule II controlled substance.

13) In connection with the acquisition of d-methamphetamine hydrochloride from Harris, Johnson repeatedly conducted financial transactions in order to transfer United States Currency to Harris. For example, on October 21, 2014, Johnson arranged a deposit of \$5,702.00 in cash into a Horizons FCU account, and immediately obtained a cashier's check in the amount of \$5,700.00 payable to one of Harris's associates.

14) On November 24, 2014, Johnson again made cash deposits into a Horizon FCU account and arranged for a cashier's check in the amount of \$5,700.00 payable to one of Harris's associates.

15) On September 23, 2015, Johnson arranged for a \$2,000.00 wire transfer to be made to another of Harris's associates. All of these transfers were made using the proceeds of methamphetamine trafficking activity and were intended to purchase additional methamphetamine.

16) On September 6, 2017, Johnson was indicted in the Northern District of New York along with his co-conspirators in *United States v. Alonzo Lamar Harris et al.* (3:17-CR-254 GTS) on charges of 21 U.S.C. §§ 841(a)(1) and 846 Conspiracy to Possess and Distribute Methamphetamine and 18 U.S.C. § 1956(h) Conspiracy to Commit Money Laundering.

17) On or about September 20, 2017, members of the Drug Enforcement Administration's Syracuse Resident Office and officers from state and local law enforcement agencies executed an arrest warrant on Akuan Johnson at his residence, located at 540 State Street, Binghamton, New York. Johnson was placed in custody and signed a Consent to Search form for the residence.

18) During the search, 100.7gg of marijuana was found in Johnson's bedroom, along with a portion of the defendant currency. Also seized from Johnson's bathroom was 269.8gg of crystal methamphetamine. The bathroom was attached to a makeshift recording studio where the remaining portion of the defendant currency was found, along with kilo wrappers.

19) Johnson stated he was charged \$10,500.00 per pound of crystal methamphetamine, and that he received approximately 2 packages per month to sell. He would then sell the crystal methamphetamine for about \$1200.00/ounce.

20) On December 12, 2017, Johnson pled guilty to Counts 1 and 2 of Indictment 3:17-CR-254 (GTS) charging him with methamphetamine conspiracy in violation of 21 U.S.C. §§ 846 and 841(b)(1)(A) and money laundering conspiracy, in violation of 18 U.S.C. § 1956(h).

**POTENTIAL CLAIMANTS**

21) Upon information and belief, the person/s who may claim an interest in the defendant currency are not in the military service, is/are not infants and are not incompetent persons.

22) On or about November 21, 2017, DEA received an Administrative Claim for the defendant currency from Carrie Rodriguez.

**WHEREFORE**, the United States of America prays that process of issue in due form of law, according to the course of this Court in actions *in rem*, against the defendant currency and that a warrant issue for the arrest of the defendant as more particularly described herein; that all persons having any interest therein be cited to appear herein and answer the complaint; that a judgment be entered declaring the defendant condemned and forfeited to the United States of America for disposition in accordance with law; that the costs of this suit be paid to and recovered by the United States of America; and that the United States be granted such other and further relief as this Court may deem just and proper.

Dated: February 15, 2018

GRANT C. JAQUITH  
United States Attorney

By: /s/ Tamara B. Thomson  
Tamara B. Thomson  
Assistant United States Attorney  
Bar Roll No. 515310

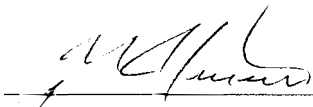
**VERIFICATION**

STATE OF NEW YORK            )  
  ) ss:  
COUNTY OF ONONDAGA        )

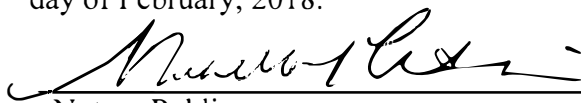
Michael J. Strangeway, being duly sworn, deposes and states:

I am a Special Agent with the Drug Enforcement Administration. I have read the foregoing Complaint for Forfeiture and assert that the facts contained therein are true to the best of my knowledge and belief, based upon knowledge possessed by me and/or on information received from other law enforcement officers.

Dated this 15th day of February, 2018.

  
\_\_\_\_\_  
Michael J. Strangeway, Task Force Officer  
Drug Enforcement Administration

Sworn to and subscribed before me this 15th day of February, 2018.

  
\_\_\_\_\_  
Notary Public

MICHELLE J. TROUDETARIS  
Notary Public - State of New York  
Qualified in Onondago County  
No. 0176162879  
My Commission Expires September 25, 2018

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

UNITED STATES OF AMERICA

(b) County of Residence of First Listed Plaintiff Onondaga  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)  
Tamara Thomson, Assistant U.S. Attorney (315) 448-0672  
United States Attorney's Office, 100 South Clinton Street  
Syracuse, New York 13261

**DEFENDANTS**

\$9,896.00 in U.S. Currency

County of Residence of First Listed Defendant Broome  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE  
LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☐ 3 Federal Question (U.S. Government Not a Party)  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |  | PTF                        | DEF                        |
|---|----------------------------|----------------------------|--|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated <i>or</i> Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated <i>and</i> Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation   | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights <b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition			

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding  
☐ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from another district (specify)  
☐ 6 Multidistrict Litigation  
☐ 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

21 USC 881 and 18 U.S.C § 982(a)(1)

Brief description of cause:

**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE Hon. Glenn T. SuddabyDOCKET NUMBER 3:17-CR-254

DATE

SIGNATURE OF ATTORNEY OF RECORD

02/15/2018s/Tamara B. Thomson**FOR OFFICE USE ONLY**RECEIPT # \_\_\_\_\_ AMOUNT Waived - Gov't APPLYING IFP \_\_\_\_\_ JUDGE GTS MAG. JUDGE DEP

3:18-cv-199

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